

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ADRIEN MORALES,

Plaintiff

v.

DARIN BALAAM, et al.,

Defendants

Case No. 3:22-cv-00510-MMD-CSD

ORDER
(ECF No. 12)

On March 31, 2023, the Court issued a screening order and granted Plaintiff until May 1, 2023, to file an amended complaint or the case would be subject to dismissal without prejudice for failure to state a claim. (ECF No. 7). On May 1, 2023, Plaintiff filed a motion seeking to extend the deadline to file and serve an amended complaint by 60 days, arguing that he had hand surgery in April but has since been removed from post-operative “medications, and believed he can now draft his First Amended Complaint.” (ECF No. 9 at 2). The Court granted Plaintiff’s motion, extending the deadline to file an amended complaint to July 1, 2022. (ECF No. 10). Before that deadline expired, Plaintiff filed notice that he had been transferred to a different prison and moved to extend the deadline to file an amended complaint by another 60 days. (ECF Nos. 11, 12). Plaintiff argues that he needs more time because he has been in a cast since his surgery in April, and the move to Stewart Conservation Camp means he no longer has access to the Court’s e-filing system, and that change will make it more “complicated to study case law and properly provide a corrected First Amended Complaint[.]” (ECF No. 12).

Plaintiff’s excuse that not having access to the Court’s e-filing system will make it more difficult for him to study case law and prepare an amended complaint is unfounded. However, the Court finds that Plaintiff’s recent transfer to another prison merits extending the deadline to file an amended complaint **one final time and by 30 days**.

1 Good cause appearing, it is hereby ordered that the motion for extension of time
2 (ECF No. 12) is granted in part and denied in part: Plaintiff has **until August 5, 2023**, to
3 file an amended complaint consistent with the Court's March 31, 2023, screening order.

4 Plaintiff is advised that the Court will screen the amended complaint in a separate
5 screening order, and the screening process will take several months.

6 It is further ordered that if Plaintiff fails to file an amended complaint **by August 5,**
7 **2023**, this action will be subject to dismissal without prejudice.

8 It is further ordered that the Clerk of the Court will send Plaintiff Adrien Morales a
9 courtesy copy of the Court's March 31, 2023, screening order and attachments (ECF
10 Nos. 7, 7-1, 7-2).

11 DATED THIS 6th day of July 2023.

12 
13 UNITED STATES MAGISTRATE JUDGE